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IN THE UNITED STATES ELECTED OFFICE OF
THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNDER THE PATENT COOPERATION TREATY - CHAPTER I

RECEIVED
05 SEP 2001
International Division

**PETITION FOR WITHDRAWAL OF THE HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE AN OFFICE ACTION**

5

APPLICANTS: Blasius Wilhelm, Georg Boehmer, Karl-Heinz Jenak,
Joseph Knott and Peter Bremmer

ATTORNEY

DOCKET NO.: P-99,0610

10

SERIAL NO.: 09/284,563

EXAMINER:

FILING DATE:

ART UNIT:

INTERNATIONAL APPLICATION NO.: PCT/DE97/02385

INTERNATIONAL FILING DATE: 15 October 1997

15

INVENTION: "ELECTROPHOTOGRAPHIC MACHINE WITH A
DEVICE TO REMOVE OLD TONER"

BOX PCT

Assistant Commissioner for Patents
Washington, D.C. 20231

S I R:

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The undersigned hereby petitions to withdraw the holding of abandonment
in this application on the basis that the Office Action forming the basis of the
abandonment was not received.

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I hereby state that the Office Action indicated by the Notification of
Abandonment (copy attached) as being mailed on May 12, 1999, which was a
Notification of Missing Requirements (Form PCT/DO/EO/90.01) which would have
a due-date of June 12, 1999, was not received. A search of the file jacket and our
docket records in our office indicates that no Office Action was received. Attached
herewith is a copy of the docket record where the non-received Office Action would
have been entered had it been received and docketed.

05/09/2000 UNRECEIVED
01 FC:154

In addition, I am providing a statement from Lynn Weidenfeller, who is the person that would have docketed the Office Action if it had been received.

In addition, I am attaching herewith a Declaration and Power of Attorney, which identifies PCT/DE97/02385 and is signed by the inventors, Blasius Wilhelm, on April 21, 1999, by Georg Boehmer and Karl-Heinz Jenak on April 9, 1999, by Joseph Knott on August 12, 1999 and by Peter Bremmer on April 9, 1999 and a check for the \$130.00 surcharge for submitting the signed Declaration subsequent to filing the application, which would fulfill the requirements of the Notification of Missing Requirements.

In consideration of these submissions, it is respectfully requested that the holding of abandonment be withdrawn and the application be forwarded to the Examiner for examination.

It is believed that there is no government fee required to accompany this petition. However, if this belief is incorrect, please charge any sum required to Deposit Account No. 08-2290. A duplicate copy of this petition is enclosed.

Respectfully submitted,

 (Reg. No. 24,149)
HILL & SIMPSON
A Professional Corporation
85th Floor - Sears Tower
Chicago, Illinois 60606

Telephone: (312) 876-0200 - Ext. 647

DATED: April 28, 2000

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the BOX PCT, Assistant Commissioner for Patents, Washington, D.C. 20231 on April 28, 2000.

5

James D. Hobart

Name of Applicant's Attorney



Signature

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April 28, 2000

Date

I hereby state that I am in charge of the U.S. Filing Department for the law
20 firm of Hill & Simpson; that when an Office Action is received, I enter this in a
docket sheet for the date that the response is due and that I then docket any Office
Action in the computer file under the Patent File Maintenance for the specific
attorney's docket list; that if a Notification of Missing Requirements (Form
PCT/DO/EO/9905) mailed on May 12, 1999 had been received, an entry would have
25 been made in the above-mentioned docket sheet for the date of June 12, 1999 and a
copy of that sheet for June 12, 1999 is attached herewith as Exhibit A and does not
indicate receipt of a Notification of Missing Requirements for Wilhelm et al

Application Serial No. 09/284,563. Attached herewith as Exhibit B is a copy of the two-page printout of the Patent File Maintenance for attorney's Docket No. P99,0610 (U.S. Application No. 09/284,563).

5 From these records, I believe that the Notification of Missing Requirements mailed by the Patent Office on May 12, 1999 was not received by our office.

Date: 4/28/00

Lynn Weidenfeller
Lynn Weidenfeller

State of Illinois)

:SS

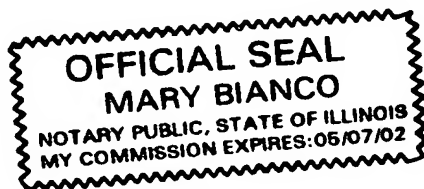
10 County of Cook)

Before me personally appeared Lynn Weidenfeller, known to me to be the person who executed the foregoing instrument, and acknowledged the execution and delivery thereof, under her seal, for the uses and purposes therein set forth, on the day and year aforesaid.

15

Mary Bianco
NOTARY PUBLIC

S E A L



Amendments Due June 99

APPLICANT'S
EXHIBIT
A

PATENT

PATENT FILE MAINTENANCE

(I-1/4)
ENTERED 03-17-99

01 CASE NO. P99,0610
TITLE ELECTROPHOTOGRAPHIC DEVICE WITH A MEANS FOR ELIMIN
CLIENT NO. 07869 Schaumburg, Thoenes & Thurn
PRIMARY ATTN 491 JOHN D. SIMPSON
SECONDARY ATTN 647 JAMES D. HOBART
TERTIARY ATTN
CLIENT CASE NO. 961001P02US

02 INVENTOR NO. 01> 1267 BLASIVS WILHELM
02> 1161 GEORG BOEHMER
03> 1268 KARL-HEINZ JENAK

03 GAU

04 DATE OF EXECUTION 05 FORWARDED 04-15-99
06 FILED 07 SERIAL NO. 09/ 284,563

08 ASSIGNMENT TO

09 ASSIGNMENT DATE

11 ASSIGNMENT RECORDED

14 MAILED TO CLIENT

15 FINAL

10 MAILED FOR RECORDING
12 REEL
13 FRAME
16 DROPPED
17 TRANSFERRED

CHANGE ?

PATENT.PROC

PATENT FILE PROSECUTION INFORMATION

(I-2/4)

01 CASE.NO P99,0610 INVENTOR BLASIVS WILHELM

02 ACTION NOTES PETITION TO REVIVE

03 ACTION DATE 03-31-00 19 HRNG DATE 35 MISC NOTES

04 AMENDMENT DUE 04-30-00 20 -WAIVED 36 MISC DATE

05 -MAILED 21 APPEAL NO. 37 -MAILED

06 FINAL FLLW UP 22 CONFIRM DUE

07 IDS DUE 07-15-99 23 -MAILED 38 STATUS

08 -MAILED 04-15-99 24 DEC. DATE 39 NOTES

09 APP'LD DATE 25 REQ FOR RECON 40 ISSUED

10 BRIEF DUE 26 -MAILED 41 PATENT NO.

11 -MAILED 27 APPEAL.CAFC 42 MAILED

28 -MAILED 43 RECOMEND LTR

12 EX. ANS. DATED -- SONY --

13 NEW POINTS 29 ALLOWED 44 3 DAYS PRIOR

PENGAD-Bayonne, N.J.

APPLICANT'S
EXHIBIT

14 -MAILED
15 NEW GROUNDS
16 -MAILED
17 HEARING REQ.
8 -MAILED
CHANGE ?

30 FEE DUE
31 -MAILED
32 DWGS. DUE
33 -MAILED
34 REFILED PTO

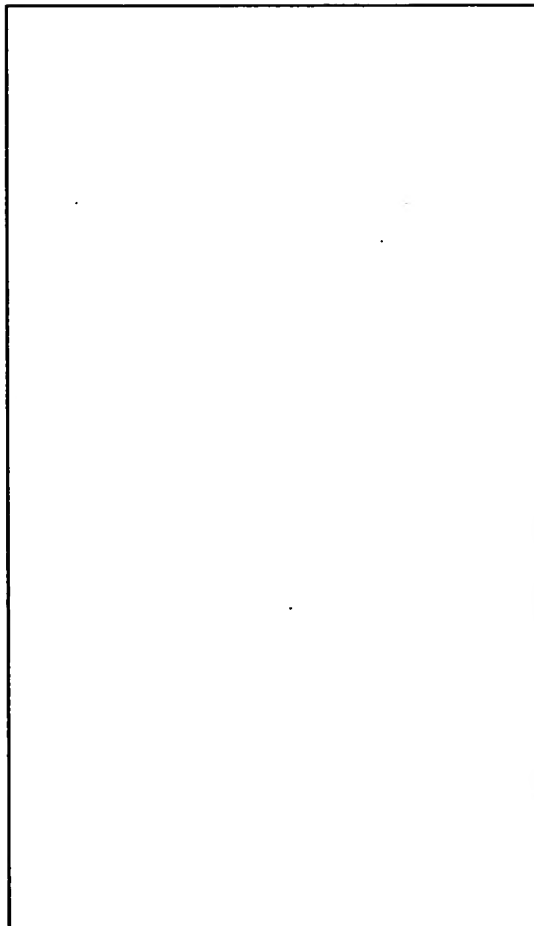
45 RECOMEND LTR
46 LETER MAILED
- MUTSUMI -
47 PROPOSE AMEND
48 MAILED CLIENT

PATENT.HIST

PATENT HISTORICAL NOTES

(I-4/4)

01 CASE NO. P99,0610 INVENTOR BLASIVS WILHELM
02 HISTORICAL NOTES:



CHANGE ?

